

REMARKS

No claims have been amended, no claims have been cancelled and new independent Claim 36 has been added. In view of the following remarks, reconsideration of the present application is requested.

Claim Rejections – 35 USC §103

In the final Office Action, Claims 16, 20, 26 and 29-35 were finally rejected under 35 USC §103 as being unpatentable over PCT Publication No. WO2003/091008.

Applicants have again amended the specification to insert a priority claim to commonly-owned International Application No. PCT/US03/012520, filed on April 23, 2003 and designating the United States of America, which claims priority to U.S. Provisional Patent Application No. 60/374,879, filed on April 23, 2002. Applicants are also submitting herewith a second Petition to correct the domestic priority claim as required by 37 CFR §1.78(a)(3), along with the appropriate fee.

Upon correction of the priority claim of the application, PCT Patent Publication No. WO2003/091008 is not a prior art reference with respect to the present application. Therefore, removal of this rejection is again requested.

The final Office Action contains a number of statements including assertions concerning the claims of the present application and the cited art. It is noted that any failure of this paper to address any specific dependent claim and/or comment directly upon any of the assertions in the final Office Action does not indicate agreement or acquiescence with them.

It is not believed that any additional fees, other than those specifically referenced herein, are due with respect to the entry of this paper, however it is requested that any necessary fees be charged to Deposit Account No. 50-1419.

It is believed that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further the prosecution of the application and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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